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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/364,375	07/30/1999	RONEN CHAYAT	INTL-0151-US	9363

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TROP PRUNER & HU, PC
8554 KATY FREEWAY
SUITE 100
HOUSTON, TX 77024

EXAMINER	
CANGIALOSI, SALVATORE A	
ART UNIT	**PAPER NUMBER**
3621	

DATE MAILED: 12/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/364,375	CHAYAT, RONEN	
	Examiner	Art Unit	
	Salvatore Cangialosi	3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 September 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4,6-15,17-26 and 28-30* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4,6-15,17-26 and 28-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

1. The following is a quotation of 35 U.S.C. ɜ 103 which forms the basis for all obviousness rejections set forth in this Office action:

> A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
>
> Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

6. Claims 1-4,6-15,17-26,28-30 are rejected under 35 U.S.C. ɜ 103 as being unpatentable over Hendel et al (6115378) in view or either DeGolia, Jr. or Lockart et al..

Regarding claim 1, Hendel et al(See abstract, Figs 3, and cols. 2, 25-40 and 3, lines 25-30) discloses a method for transmitting packets of different types(e.g. Layer 2 packets and Layer 3 or 4 packets) by means of brouters (combination bridge routers) substantially as claimed. Note that Layer 2 packets because they spend minimal time processing are forwarded faster than the layers above it (e.g. Layer 3, IP protocol packets)and that the priority of service class is implicit in the IP protocols. The differences between the above and the claimed invention is a discussion of time of packet transmission and

specific priority assigned to security packets. It is noted that it is inherent that Layer 2 packets will be processed faster than Layer 3 packets and some Layer 3 packets will be by passed by Layer 2 packets as disclosed in the prior art. DeGolia, Jr.(See Fig. 3. and claim 12 and Col. 4, lines 30-40) or Lockart et al(See Figs. 1-4) show security packets in a quality of service environment taking more time due to their increased size and mathematical complexity. Note that the Public Key encryption standard requires 1024 bits for the key space and employed in the transmission of most credit card numbers through the internet and thus uses more bandwidth due to its size and more time due to its mathematical complexity. It would have been obvious to the person having ordinary skill in this art to provide a similar arrangement for Hendel et al because it is conventional and standard practice to employ a lower priority for the more complex and more lengthy packet because secure packets require greater precision due to unrecoverability of the key employed if even a few bits are in error and these components are no more than the conventional equivalents of what is disclosed in the primary items of evidence since they must by definition be Layer 3 packets or higher. Regarding the security limitations of claim 2, either DeGolia, Jr.(See Fig. 3. and claim 12 and Col. 4, lines 30-40) or Lockart et al(See Figs. 1-4) show security packets in a quality of service environment taking more time due to their increased size and mathematical complexity which are the

functional equivalents of the claim. Regarding the memory limitations of claim 3, Hendel et al(See abstract, Figs 3, and cols. 2, 25-40 and 3, lines 25-30) discloses transmitting packets of different types(e.g. Layer 2 packets and Layer 3 or 4 packets) by means of brouters (combination bridge routers) including memory which are the functional equivalents of the claim. Regarding the bypass limitations of claim 4, Hendel et al(See abstract, Figs 3, and cols. 2, 25-40 and 3, lines 25-30) discloses transmitting packets of different types(e.g. Layer 2 packets and Layer 3 or 4 packets) by means of brouters (combination bridge routers) which are the functional equivalents of the claim because security packets must be Level 3 packets or above. Regarding memory limitations of claim 6, Hendel et al(See abstract, Figs 3, and cols. 2, 25-40 and 3, lines 25-30) discloses transmitting packets of different types(e.g. Layer 2 packets and Layer 3 or 4 packets) by means of brouters (combination bridge routers) including memory which are the functional equivalents of the claim. Regarding the linking limitations of claim 7, Hendel et al(See abstract, Figs 3, and cols. 2, 25-40 and 3, lines 25-30) discloses transmitting packets of different types(e.g. Layer 2 packets and Layer 3 or 4 packets) by means of brouters (combination bridge routers) including assemblies of packets, which are the functional equivalents of the claim. Regarding the security limitations of claim 8, either DeGolia, Jr.(See Fig. 3. and claim 12 and Col. 4, lines 30-40) or

Lockart et al(See Figs. 1-4) show security packets in a quality of service environment taking more time due to their increased size and mathematical complexity which are the functional equivalents of the claim. Regarding the header limitations of claim 9, Lockart et al (See Fig. 2) show security packet headers that are the functional equivalents of the claim. Regarding the authentication header limitations of claim 10, Lockart et al (See Fig. 2) show security packet headers with authentication that are the functional equivalents of the claim. Regarding the pointer limitations of claims 11 and 12, Hendel et al(See abstract, Figs 3, and cols. 2, 25-40 and 3, lines 25-30) discloses transmitting packets of different types(e.g. Layer 2 packets and Layer 3 or 4 packets) by means of brouters (combination bridge routers) which are the functional equivalents of the claim because security packets must be Level 3 packets or above and can include processing structures such as pointers. Regarding claim 13, Hendel et al(See abstract, Figs 3, and cols. 2, 25-40 and 3, lines 25-30) discloses a means for transmitting packets of different types(e.g. Layer 2 packets and Layer 3 or 4 packets) by means of brouters (combination bridge routers) substantially as claimed. Note that Layer 2 packets because they spend minimal time processing are forwarded faster than the layers above it (e.g. Layer 3, IP protocol packets)and that the priority of service class is implicit in the IP protocols. The differences between the above and the claimed invention is a discussion of

time of packet and specific priority assigned to security packets. It is noted that it is inherent that Layer 2 packets will be processed faster than Layer 3 packets and some Layer 3 packets will be by passed by Layer 2 packets as disclosed in the prior art. DeGolia, Jr.(See Fig. 3. and claim 12 and Col. 4, lines 30-40) or Lockart et al(See Figs. 1-4) show security packets in a quality of service environment taking more time due to their increased size and mathematical complexity. Note that the Public Key encryption standard requires 1024 bits for the key space and employed in the transmission of most credit card numbers through the internet and thus uses more bandwidth due to its size and more time due to its mathematical complexity. It would have been obvious to the person having ordinary skill in this art to provide a similar arrangement for Hendel et al because it is conventional and standard practice to employ a lower priority for the more complex and more lengthy packet because secure packets require greater precision due to unrecoverability of the key employed if even a few bits are in error and these components are no more than the conventional equivalents of what is disclosed in the primary items of evidence since they must by definition be Layer 3 packets or higher. Regarding the security limitations of claim 14, either DeGolia, Jr.(See Fig. 3. and claim 12 and Col. 4, lines 30-40) or Lockart et al(See Figs. 1-4) show security packets in a quality of service environment taking more time due to their increased size

and mathematical complexity which are the functional equivalents of the claim. Regarding the bypass limitations of claim 15, Hendel et al(See abstract, Figs 3, and cols. 2, 25-40 and 3, lines 25-30) discloses transmitting packets of different types(e.g. Layer 2 packets and Layer 3 or 4 packets) by means of brouters (combination bridge routers) which are the functional equivalents of the claim because security packets must be Level 3 packets or above. Regarding the security limitations of claim 17, Lockart et al (See Fig. 2) show security packet headers that are the functional equivalents of the claim. Regarding the linking limitations of claim 18, Hendel et al(See abstract, Figs 3, and cols. 2, 25-40 and 3, lines 25-30) discloses transmitting packets of different types(e.g. Layer 2 packets and Layer 3 or 4 packets) by means of brouters (combination bridge routers), which are the functional equivalents of the claim. Regarding the security limitations of claim 19, either DeGolia, Jr.(See Fig. 3. and claim 12 and Col. 4, lines 30-40) or Lockart et al(See Figs. 1-4) show security packets in a quality of service environment, which are the functional equivalents of the claim. Regarding the header limitations of claim 20, Lockart et al (See Fig. 2) show security packet headers that are the functional equivalents of the claim. Regarding the pointer limitations of claim 21, Petersen et al(See element 915) discloses a pointer that are the functional equivalents of the claim that are the functional equivalents of the claim. Regarding the pointer limitations of

claim 22, Hendel et al(See abstract, Figs 3, and cols. 2, 25-40 and 3, lines 25-30) discloses transmitting packets of different types(e.g. Layer 2 packets and Layer 3 or 4 packets) by means of brouters (combination bridge routers) which are the functional equivalents of the claim because security packets must be Level 3 packets or above and can include processing structures such as pointers. Regarding the pointer limitations of claim 23, Hendel et al(See abstract, Figs 3, and cols. 2, 25-40 and 3, lines 25-30) discloses transmitting packets of different types(e.g. Layer 2 packets and Layer 3 or 4 packets) by means of brouters (combination bridge routers) which are the functional equivalents of the claim because security packets must be Level 3 packets or above and can include processing structures such as pointers. Regarding claim 24, Hendel et al(See abstract, Figs 3, and cols. 2, 25-40 and 3, lines 25-30) discloses a means for transmitting packets of different types(e.g. Layer 2 packets and Layer 3 or 4 packets) by means of brouters (combination bridge routers) substantially as claimed. Note that Layer 2 packets because they spend minimal time processing are forwarded faster than the layers above it (e.g. Layer 3, IP protocol packets)and that the priority of service class is implicit in the IP protocols. The differences between the above and the claimed invention is a discussion of time of packet and specific priority assigned to security packets. It is noted that it is inherent that Layer 2 packets will be processed faster than Layer 3

packets and some Layer 3 packets will be by passed by Layer 2 packets as disclosed in the prior art. DeGolia, Jr.(See Fig. 3. and claim 12 and Col. 4, lines 30-40) or Lockart et al(See Figs. 1-4) show security packets in a quality of service environment taking more time due to their increased size and mathematical complexity. Note that the Public Key encryption standard requires 1024 bits for the key space and employed in the transmission of most credit card numbers through the internet and thus uses more bandwidth due to its size and more time due to its mathematical complexity. It would have been obvious to the person having ordinary skill in this art to provide a similar arrangement for Hendel et al because it is conventional and standard practice to employ a lower priority for the more complex and more lengthy packet because secure packets require greater precision due to unrecoverability of the key employed if even a few bits are in error and these components are no more than the conventional equivalents of what is disclosed in the primary items of evidence since they must by definition be Layer 3 packets or higher. Regarding the security limitations of claim 25, either DeGolia, Jr.(See Fig. 3. and claim 12 and Col. 4, lines 30-40) or Lockart et al(See Figs. 1-4) show security packets in a quality of service environment taking more time due to their increased size and mathematical complexity which are the functional equivalents of the claim. Regarding the memory limitations of claim 26, Hendel et al(See abstract, Figs 3, and

cols. 2, 25-40 and 3, lines 25-30) discloses transmitting packets of different types(e.g. Layer 2 packets and Layer 3 or 4 packets) by means of brouters (combination bridge routers) including memory which are the functional equivalents of the claim. Regarding the header limitations of claim 28, Lockart et al (See Fig. 2) show security packet headers that are the functional equivalents of the claim. Regarding the pointer limitations of claim 29, Hendel et al(See abstract, Figs 3, and cols. 2, 25-40 and 3, lines 25-30) discloses transmitting packets of different types(e.g. Layer 2 packets and Layer 3 or 4 packets) by means of brouters (combination bridge routers) which are the functional equivalents of the claim because security packets must be Level 3 packets or above and can include processing structures such as pointers. Regarding the pointer limitations of claim 30, Hendel et al(See abstract, Figs 3, and cols. 2, 25-40 and 3, lines 25-30) discloses transmitting packets of different types(e.g. Layer 2 packets and Layer 3 or 4 packets) by means of brouters (combination bridge routers) which are the functional equivalents of the claim because security packets must be Level 3 packets or above and can include processing structures such as pointers. al that are the functional equivalents of the claim that are the functional equivalents of the claim.

Applicants arguments filed 9/29/05 are moot due the new combination of prior art.

Examiner's Note: Although Examiner has cited particular columns, line numbers and figures in the references as applied to the claims above for the convenience of the applicant(s), the specified citations are merely representative of the teaching of the prior art that are applied to specific limitations within the individual claim and other passages and figures may apply as well. It is respectfully requested that the applicant(s), in preparing the response, fully consider the items of evidence in their entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Any inquiry concerning this communication should be directed to Salvatore Cangialosi at telephone number **(571) 272-6927**. The examiner can normally be reached 6:30 Am to 5:00 PM, Tuesday through Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell, can be reached at **(571) 272-6712**.

Any response to this action should be mailed to:

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S. Cangialosi

SALVATORE CANGIALOSI
PRIMARY EXAMINER
ART UNIT 222